

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 Theresa Davila,

4 Plaintiff

5 v.

6 Nancy A. Berryhill, Acting Commissioner of
7 Social Security Administration,

8 Defendant

Case No.: 2:16-cv-01138-JAD-GWF

**Order Adopting
Report & Recommendation**

[ECF Nos. 15,17, 20]

9
10 Plaintiff Theresa Davila brought this action for the court to review the Commissioner of
11 Social Security's denial of her application for disability benefits under Title XVI of the Social
12 Security Act. Having considered Davila's motion to remand¹ and the Commissioner's cross-
13 motion to affirm,² the magistrate judge recommends that I deny the motion to remand and grant
14 the Commissioner's cross-motion.³ "[N]o review is required of a magistrate judge's report and
15 recommendation unless objections are filed,"⁴ and no party has filed an objection by the
16 February 14, 2019, deadline. Accordingly,

17 IT IS HEREBY ORDERED THAT:

- 18 • The Report and Recommendation [ECF No. 20] is **ADOPTED** in full;
19 • Plaintiff's Motion for Reversal and/or Remand [ECF No. 15] is **DENIED**, and the
20 Commissioner's Cross-motion to Affirm [ECF No. 17] is **GRANTED**; the underlying
21 decision is **AFFIRMED**;

22
23 _____
24 ¹ ECF No. 15.

25 ² ECF No. 17.

26 ³ ECF No. 20.

27 ⁴ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474
28 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

- The Clerk of Court is directed to ENTER JUDGMENT ACCORDINGLY and CLOSE THIS CASE.

Dated: February 18, 2019



U.S. District Judge Jennifer A. Dorsey